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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/766,470	01/29/2004	Kazumasa Fukazawa	VX032571US

021369  
 VARNDELL & VARNDELL, PLLC  
 106-A S. COLUMBUS ST.  
 ALEXANDRIA, VA 22314



CONFIRMATION NO. 3719

## FORMALITIES LETTER



\*OC000000013440059\*

Date Mailed: 08/04/2004

## NOTICE OF INFORMAL APPLICATION

This application is considered to be informal since it does not comply with the regulations for the reason(s) indicated below. The period within to correct the informalities noted below and avoid abandonment is set in the accompanying Office action.

**Items Required To Avoid Processing Delays:**

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

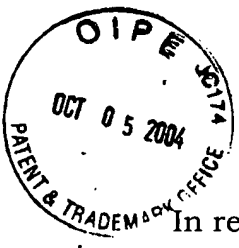
- A new oath or declaration, identifying this application number is required. The oath or declaration does not comply with 37 CFR 1.63 in that it:
- does not identify the citizenship of each inventor.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
 Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the application of:

Inventor(s) : Kazumasa FUKAZAWA *et al.*  
Serial Number : 10/766,470  
Filed : January 29, 2004  
For : STRUCTURE OF MAIN FRAME FOR CONSTRUCTION  
: MACHINES AND METHOD OF MANUFACTURING THE SAME

**RESPONSE TO NOTICE TO INFORMAL APPLICATION**

The Honorable Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

October 5, 2004

Dear Sir:

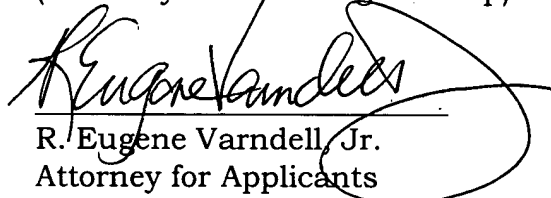
In response to the Notice of Informal Application, mailed August 4, 2004, applicant is submitting herewith an executed Substitute Declaration and Power of Attorney for Patent Application for the above-identified application. A copy of the aforementioned notice is also attached hereto.

The notice stated that a new oath or declaration that identifies this application number and the citizenship of each inventor is required. The attached Substitute Declaration and Power of Attorney for Patent Application identifies the application number of the present application, identifies the citizenship of each inventor, and fulfills all the other requirements of 37 C.F.R. §1.63. Therefore, it is believed that the filing of the attached Substitute Declaration and Power of Attorney for Patent Application rectifies any informalities in the present application, concerning the oath or declaration under 37 C.F.R. §1.63.

The notice did not set forth a time period for responding thereto. The notice stated that the period for correcting the informalities noted therein and avoiding abandonment is set forth in the accompanying Office action. However, the notice was mailed by itself, and no Office action was attached thereto. Since the notice did not set forth a period for response of less than six months, a response to the notice can be filed within six months from the mailing date thereof, or in other words, on or before February 4, 2005. 37 C.F.R. §1.134.

The notice did not indicate that any fee was due for the filing of the attached Substitute Declaration and Power of Attorney for Patent Application. Therefore, no fee is believed to be required. In the event this paper is not timely filed applicant hereby petitions for an appropriate extension of time. The fee therefor, as well as any other fees which become due such as any fee for the filing of the attached Substitute Declaration and Power of Attorney for Patent Application, may be charged to our deposit account No. 22-0256.

Respectfully submitted,  
VARNDELL & VARNDELL, PLLC  
(Formerly Varndell Legal Group)



R. Eugene Varndell, Jr.  
Attorney for Applicants  
Registration No. 29,728

Atty. Case No. VX032571US  
106-A South Columbus Street  
Alexandria, VA 22314  
(703) 683-9730

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Attachments:

1. Copy of Notice of Informal Application
2. Executed Substitute declaration and Power of Attorney for Patent Application